

**AGENDA**  
**PERSONNEL BOARD MEETING**

**May 10, 2013**  
**9:30 a.m.**

1. Call to Order
2. Reading of the Minutes of Regular Meeting held April 12, 2013 - Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
- \*\*\* A. Changes to 101 KAR 2:076, 101 KAR 2:102, 101 KAR 2:095, 101 KAR 3:015  
and 101 KAR 3:050
5. **Oral Arguments**
  - A. Daniel Leland v. Justice and Public Safety Cabinet (Corrections)  
(Request by Appellee)
6. **Motions**
7. **Investigations**
  - A. Update on Department of Agriculture Investigation
  - B. Michael O'Brien Request – Justice and Public Safety Cabinet (Juvenile Justice)  
--Appellee's Response (**Follow-up**)
8. **Closed Session**
9. **Open Session**
10. **Cases to be Decided**
  - A. Daniel Leland v. Justice and Public Safety Cabinet (Corrections) 2012-110  
(Resigned by regulation – appeal sustained)  
--Appellee's Exceptions and Request for Oral Argument
  - B. Shena Back v. Justice and Public Safety Cabinet [Corrections] (2012-101)  
Dismissal, policy violation – appeal sustained  
(**Passed from March Meeting**) (**DEFERRED FROM APRIL**)  
--Appellee's Exceptions and Request for Oral Argument  
--Appellant's Response to Exceptions

- C. Catherine Partlow v. Justice and Public Safety Cabinet [Corrections] (2012-166)  
10-day suspension, voting leave misuse – appeal sustained  
**(DEFERRED FROM APRIL)**  
--Appellee's Exceptions and Request for Oral Argument
- D. Dottie Stone v. Justice and Public Safety Cabinet [Juvenile Justice] (2012-034)  
5-day suspension, gun issue – sustained to the extent of changing to  
1-day suspension **(DEFERRED FROM APRIL)**  
--Appellant's Exceptions and Request for Oral Argument  
--Appellee's Response to Exceptions
- E. Earl D. Gardner v. Transportation Cabinet (2011-193)  
Dismissal, poor work performance – appeal sustained to the extent of  
imposing a 30-day suspension **(DEFERRED FROM APRIL)**  
--Appellee's Exceptions  
--Appellant's Response to Exceptions
- F. Robert Blackburn v. Justice and Public Safety Cabinet (Corrections) 2012-100  
(3-grade demotion – appeal dismissed)  
--Appellant's Exceptions (returned as untimely)
- G. Julie Hettinger v. Education and Workforce Development Cabinet 2012-180  
FFTL dismissal, retaliation – appeal dismissed
- \*\*\* H. Charles Wilkins v. Justice and Public Safety Cabinet (Corrections) 2012-218  
(Constructive discharge, discrimination, retaliation – appeal dismissed)
- 11. **Withdrawals**
  - A. Stephen Barnett v. Cabinet for Health and Family Services and Personnel Cabinet  
(2 appeals)
  - B. Paula Cissell v. Transportation Cabinet
  - C. Robert William Keith v. Energy and Environment Cabinet
  - \*\*\* D. Clayton Brooks v. Transportation Cabinet and Personnel Cabinet
  - \*\*\* E. Phillip Daugherty v. Education and Workforce Development Cabinet
  - \*\*\* F. Tina Fisher v. Personnel Cabinet
- 12. **Settlements**
  - A. Rondal Keith Jervis v. Justice and Public Safety Cabinet (Corrections) 3 appeals
  - B. Kevin Mazza v. Justice and Public Safety Cabinet (Corrections)
  - C. Jessica Tumey v. Cabinet for Health and Family Services
  - \*\*\* D. Brenda Mumphrey v. Tourism, Arts and Heritage Cabinet (Parks)
  - \*\*\* E. Cheryl Pettry v. Cabinet for Health and Family Services
  - \*\*\* F. Diane Phillips v. Cabinet for Health and Family Services
- 13. **Other**